

Appln No. 10/749,965

Amdt date January 18, 2005

Reply to Office action of October 18, 2004

**REMARKS/ARGUMENTS**

In the Office action dated October 18, 2004, claim 1 was rejected under 35 U.S.C. § 102 as being anticipated by Alston, U.S. Patent No. 6,055,285. Claim 1 also was rejected under 35 U.S.C. § 102 as being anticipated by Lytle et al., U.S. Patent No. 6,218,860. In addition, claim 1 was rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 14 of U.S. Patent No. 6,696,854. By this Amendment, Applicant has canceled claim 1 and added claims 2 - 20. Claims 2 - 20 are now pending in this application. Claims 2 and 12 are independent.

Applicant respectfully submits that independent claims 2 and 12 are patentable over Alston and Lytle et al. For example, these references do not teach or suggest "a write pointer circuit . . . configured to generate a plurality of mutually exclusive write pointer signals" and "a read pointer circuit . . . configured to generate a plurality of mutually exclusive read pointer signals" as claimed in claim 2. Similarly, these references do not teach or suggest "generating a plurality of mutually exclusive write pointer signals" and "generating a plurality of mutually exclusive read pointer signals" as claimed in claim 12. Rather these references disclose the use of an address bus (e.g., signals 122 and 132 in Alston and signals 531 and 533 in Lytle et al.). Accordingly, claims 1 and 12 are not anticipated by or obvious in view of these references.

Claims 3 - 11 and 13 - 20 that depend on claims 2 and 12, respectively, also are patentable over these references for the reasons set forth above. In addition, these dependent claims



Appln No. 10/749,965

Amdt date January 18, 2005

Reply to Office action of October 18, 2004

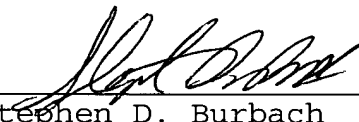
are patentable over these references for the additional limitations that the dependent claims contain.

**SUMMARY**

In view of the above amendments and remarks it is submitted that the claims are patentably distinct over the above references and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the above Application is requested.

Respectfully submitted,  
CHRISTIE, PARKER & HALE, LLP

By



Stephen D. Burbach

Reg. No. 40,285

626/795-9900

SDB/sdb

SDB PAS603192.1-\* -01/18/05 4:37 PM